

Amendment No. 1 to HB3705

Todd
Signature of Sponsor

AMEND Senate Bill No. 3369*

House Bill No. 3705

by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-10-110, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c)

(1) The registry of election finance shall maintain a register of all civil penalties imposed under this part and remaining unpaid.

(2)

(i) Except as provided in subdivision (ii), if a civil penalty lawfully assessed and any lawfully assessed cost attendant to the penalty are not paid within thirty (30) days after the assessment becomes final or by the qualifying deadline for election, whichever is earlier, the candidate owing such civil penalty shall be ineligible to qualify for election to any state or local public office until such penalty and costs are paid.

(ii) Any candidate who is unable to pay a civil penalty and attendant costs within the time required by subdivision (i) shall not be deemed ineligible to qualify for election to any state or local public office if the candidate owing such civil penalty notifies the registry in writing within thirty (30) days after the assessment becomes final or by the qualifying deadline for election, whichever is earlier, of such candidate's willingness

to enter into an agreement to pay the civil penalty and attendant costs in monthly installments due by a date certain each month. If a candidate against whom a civil penalty is assessed provides the registry with a timely request to enter into a monthly payment agreement, the registry shall enter into such an agreement with the candidate. If a candidate's payments pursuant to the monthly payment agreement are not current at the time of the qualifying deadline, such candidate shall be ineligible to qualify for election to any state or local public office. Any payment agreement that is entered into pursuant to this subdivision shall:

(a) Be reduced to writing; and

(b) Require that each monthly payment be at least five percent (5%) of the civil penalty owed.

(3) If a civil penalty authorized by this section is imposed, it shall be considered as a personal judgment against the candidate.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.